

RECEIVED
CENTRAL FAX CENTER

JUL 24 2006

REMARKS

Applicant thanks the Examiner for her careful consideration of this case.

Claims 1-12 are currently pending in the application. Claims 1, 3, 5, 8, 9 and 12 are allowed. Claims 2, 4, 6, 7, 10 and 11 stand rejected under 35 U.S.C. § 112 first and second paragraphs. In addition, claims 2, 4, 6, 7, 10 and 11 are rejected under 35 U.S.C. §§ 102(e)/103(a). Without conceding to any positions taken by the Examiner, but solely to expedite prosecution of the subject matter now claimed, Applicant has presented a set of amended claims on pages 2-4 of this paper.

Amendments to the Claims

Claims 2, 4, 6, 10 and 11 have been canceled, and claim 7 has been amended. All remaining pending claims remain unchanged. Applicant respectfully submits that no new matter is added through the proposed amendment to the claims. Specifically, claims 7 has been amended to correct claim dependency in view of the cancellation of claim 4.

No new matter is being introduced by these amendments. The present Amendment is being made solely to expedite prosecution of the subject matter now claimed, rather than in acquiescence to any positions taken by the Examiner. In fact, Applicant is *not* acquiescing to any of those positions and are submitting their amendments without prejudice to the subsequent prosecution of claims to some or all of the subject matter which might be lost by virtue of this paper. Applicant explicitly reserves the right to pursue the subject matter of any of the canceled claims, or some or all of the subject matter which might be lost by virtue of this paper, in Continuing Applications.

Below we address each of the rejections stated in the Office Action as if it were applied to the newly amended claims.

1. Rejections under 35 U.S.C. § 112, first and second paragraphs

The Examiner has rejected claims 2, 4, 6, 7, 10 and 11 under 35 U.S.C. § 112, first and second paragraphs as failing to comply with the enablement requirement and written description requirement. Claims 2, 4, 6, 10 and 11 have been canceled. In addition, claim 7, as amended, no longer depends from a rejected claim. Accordingly, the § 112 rejections are now moot. Applicant respectfully requests that the rejections be withdrawn.

2. Rejections under 35 U.S.C. §§ 102(e)/103(a)

The Examiner has rejected claims 2, 4, 6, 7, 10 and 11 under 35 U.S.C. §§ 102(e)/103(a) over US Patent 6,822,086. Claims 2, 4, 6, 10 and 11 have been canceled. In addition, claim 7, as amended, no longer depends from a rejected claim. Accordingly, the rejections under §§ 102(e)/103(a) are moot in view of the claim amendments. Applicant respectfully requests that the stated rejections be withdrawn.

CONCLUSION

Applicant thanks Examiner Zemel for her time and consideration. In light of the foregoing Remarks, Applicant respectfully submits that the present application is in condition for allowance; a Notice to that effect is respectfully requested.

If a telephone conversation would help clarify any issues, or help expedite prosecution of this case, Applicant invites the Examiner to contact the undersigned at (617) 248-5150.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that any additional fees are required for consideration of this paper (including fees for net addition of claims), these fees are authorized to be charged to our Deposit Account No. 03-1721.

Respectfully submitted,
CHOATE, HALL & STEWART LLP



Nadège M. Lagneau, Ph.D.
Reg. No.: 51,908

Date: July 24, 2006

PATENT GROUP
CHOATE, HALL & STEWART LLP
Two International Place
Boston, MA 02110
Tel: (617) 248-5150
Fax: (617) 248-4000